

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FAIR HOUSING CENTER OF
METROPOLITAN DETROIT,

Plaintiff,

Case No. 16-12140

Honorable John Corbett O'Meara

v.

IRON STREET PROPERTIES, L.L.C.,
d/b/a RIVER PARK LOFTS; BOYDELL
DEVELOPMENT, INC.; and DENNIS
KEFALLINOS,

Defendants.

ORDER OF PARTIAL DISMISSAL

Plaintiff Fair Housing Center of Metropolitan Detroit ("FHCMD") filed a three-count complaint, re-assigned to this court as a companion to Case No. 16-10639, alleging violations of the Fair Housing Amendments Act of 1988 in Count I; violations of 42 U.S.C. § 1982, in Count II; and violations of Michigan's Elliott-Larsen Civil Rights Act in Count III.

Although Counts I and II are cognizable in this court pursuant to 28 U.S.C. § 1331, the allegations presented in Count III are based solely on state law. The parties to this action are not diverse. Therefore, this court declines to exercise supplemental jurisdiction over Plaintiff's state law claim to avoid jury confusion. See 28 U.S.C. §

1367(c); United Mine Workers v. Gibbs, 282 U.S. 715 (1966); Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994).

ORDER

It is hereby **ORDERED** that Count III is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: November 10, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, November 10, 2016, using the ECF system.

s/William Barkholz
Case Manager